REMARKS

Reconsideration and withdrawal of the rejection set forth in the above-mentioned Official Action in view of the foregoing amendments and following remarks are respectfully requested.

Claims 1 and 4-13 are pending, with Claims 1, and 7-9 being independent. Claim 3 has been cancelled without prejudice. Claims 7, 8, 12 and 13 have been withdrawn from consideration. Claims 1, 4-6, and 9-11 are amended herein. Support for the amendments may be found in the specification as originally filed. Applicant submits that no new matter has been added.

Claims 1, 3-6, and 9-11 were rejected under 35 U.S.C. § 102(b), as allegedly being anticipated by the patent to Oshima et al. (U.S. Patent No. 5,526,045).

This rejection is respectfully traversed for the following reasons.

Amended Claim 1 relates to an imaging apparatus capable of imaging a still picture and a motion picture, comprising an image stabilizer that suppresses image blur of the imaging apparatus, determination means for determining which one of still picture imaging and a motion picture imaging is performed, and a controller that selects a control frequency characteristic of the image stabilizer based on the result produced by the determination means.

Claim 1 has been amended to recite that the control frequency characteristic of the image stabilizer has a lower frequency response for still picture imaging than for motion picture imaging.

Page 3 of the Office Action cites column 13, lines 39-52 of the Oshima et al. '045 patent to show "that the control frequency characteristic of said image stabilizer has a lower frequency response for still picture imaging than for motion picture imaging when switching to a

motion/damping mode, the use of low-cutoff filters 11e-11g are inserted, thereby removing the low frequency characteristics; therefore, the still image mode has a lower frequency response characteristic than the motion mode".

But, Applicant submits that this argument fails for several reasons.

First, column 13, lines 39-52 is not understood to state that the modes are switched *from* a still photography mode in which the low-cut filters 11e-11g are not used *to* a motion picture photography mode in which the low-cut filters 11e-11g are used. Rather, this passage is understood to merely state that the image control switch 7b is set to the damping control imaging mode (column 13, line 47-50). In addition, column 10, lines 1-14, in discussing the operation of the control switch 7b, is not understood to indicate that a moving picture damping mode always follows a still photography mode. Rather, this passage is understood to merely state that the control switch 7b is "for effecting switching between a still image taking mode, a damping mode, a panning mode, and other modes and for turning on and off an image control function. . . .". Thus, the Examiner is not understood to have cited any support for the notion that a still photography mode in the Oshima et al. '045 patent uses a lower frequency response to compensate for image fluctuations than a motion picture photography mode, as recited in our proposed amendments to Claim 1.

Second, column 13, lines 50 and 51 of the Oshima et al. '045 patent are understood to indicate that these low-cut filters 11e-11g, which are understood to create a high frequency response to image fluctuation, are employed even when there is no damping control imaging mode. Thus, this passage is understood to permit that in any still photography mode taught in the Oshima et al. '045 patent, the low-cut filters 11e-11g will be used to create a high frequency

response to image fluctuation, as in the motion picture damping control imaging mode.

In addition, column 13, line 45 through column 14, line 16 of the Oshima et al. '045 patent are understood to make clear that the damping control imaging mode requires a higher frequency response from the control system than the panning and tilting modes and a fixed-video-camera-telephoto-setting mode. But, there does not appear to be any teaching that the damping control imaging mode corresponds to the claimed motion picture photography mode of the present invention, or that the panning and tilting modes, or the fixed-video-camera-telephoto-setting mode corresponds to the claimed still picture photography mode of the present invention.

For all of these reasons, Applicant submits that the Oshima et al. '045 patent is not understood to disclose or suggest that the control frequency characteristic of an image stabilizer has a lower frequency response for still picture imaging than for motion picture imaging, as recited by amended Claim 1. Therefore, Applicant respectfully requests that the rejection of Claim 1 be withdrawn.

Independent Claim 9 relates to an imaging apparatus capable of imaging a still picture and a motion picture. The apparatus comprises an image stabilizer that suppresses image blur, and a detector that detects a vibration frequency using a predetermined vibration detection characteristic selected from among a plurality of vibration detection characteristics. Claim 9 also recites that the predetermined vibration detection characteristic is selected on the basis of whether the imaging apparatus is performing still picture imaging or motion picture imaging.

Pages 7 and 8 of the Office Action cites column 10, lines 2-12 and column 13, lines 39-52 as showing that "the predetermined vibration detection characteristic being selected on the basis of whether said imaging apparatus is performing still picture imaging or motion picture

imaging". But column 10, lines 2-12 is understood to merely disclose an image control switch 7b for effecting switching between a still image taking mode, a damping mode, a panning mode, and other modes and for turning on and off an image control function". And column 13, lines 39-52 are merely understood to disclose that by setting the image control switch 7b to a damping control imaging mode, filters 11e - 11g are inserted into the control system.

Thus, these portions of the Oshima et al. '045 patent are not understood to disclose or suggest a predetermined vibration detection characteristic is selected on the basis of whether the imaging apparatus is performing still picture imaging or motion picture imaging, as recited by independent Claim 9. Therefore, Applicant respectfully requests that the rejection of Claim 1 be withdrawn.

Dependent Claims 4-6, 10, and 11are also patentable, in their own right, for defining features of the present invention in addition to those recited in the independent claims. Individual consideration of the dependent claims is requested.

Applicant also respectfully request that this Amendment be entered. This Amendment could not have been presented earlier as it was earnestly believed that the claims on file would be found allowable. Given the Examiner's familiarity with the application, Applicant believes that a full understanding and consideration of this Amendment would not require undue time or effort by the Examiner. Moreover, for the reasons discussed below, Applicant submits that this Amendment places the application in condition for allowance. At the very least, it is believed to place the application in better form for appeal. Accordingly, entry of this Amendment is believed to be appropriate and such entry is respectfully requested.

In view of the above amendments and remarks, the application is now in allowable form. Therefore, early passage to issue is respectfully solicited.

Applicant's undersigned attorney may be reached in our Washington D.C. office by telephone at (202) 530-1010. All correspondence should continue to be directed to our below listed address.

Respectfully submitted,

/Gary M. Jacobs/

Attorney for Applicant
Gary M. Jacobs
Registration No. 28,861

FITZPATRICK, CELLA, HARPER & SCINTO
30 Rockefeller Plaza
New York, New York 10112-3801
Facsimile: (212) 218-2200
GMJ/JMC:nyr

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